

# Media Guild of the West

The Media Guild of the West shall be governed by the Constitution of the Communications Workers of America (CWA), policies adopted at CWA International Convention and TNG Sector Conference, the Constitution of The News Guild Sector of CWA (TNG-CWA) as amended, and the following Local Bylaws which are supplementary thereto:

## Article I. Purpose, structure, rights of membership

**Section 1.** This organization shall be known as the Media Guild of the West, TNG-CWA Local XXXXX hereinafter referred to as the Local.

**Section 2.** The Local is affiliated with The News Guild Sector of the Communications Workers of America (CWA) and shall be governed by The NewsGuild-CWA (TNG-CWA) and the CWA constitutions. In the event of any seeming conflict between those instruments and this document, the provisions of the TNG-CWA and CWA constitutions shall apply.

**Section 3.** The membership meetings of the Local shall be its supreme authority. Between membership meetings, the Local's governing body shall be the Executive Committee, which shall administer the union's affairs. However, any Executive Committee decision establishing or changing the policies of the Local may be overridden by a vote of the membership.

**Section 4.** Each "Unit" shall consist of the members in an individual shop, as shop is defined by Article III, Section 1 of the TNG-CWA constitution. Within the discretion of the Local, a Unit may consist of members employed in more than one shop where one or more of the shops involved employs less than seven members or where the shops are under the same management. It shall exist only for administrative purposes and for representation of its members within the Local.

## Article II. Definitions

**Section 1.** "Bylaws" shall refer to the provisions of this document after adoption by the Membership.

**Section 2.** "Executive Committee" shall refer collectively to the four titled officers and the unit and at-large representatives, elected in accordance with Article III.

**Section 3.** "Membership" shall refer collectively to the members in good standing of the Local and shall be the ultimate authority over Local decisions, policies and procedures.

**Section 4.** "Officers" shall refer to the individuals serving as President, Vice President, Secretary and Treasurer of the Local and all other members of the Executive Committee.

**Section 5.** "Proper Notice" shall refer to the process of advising membership at least 15 days in advance of meeting days and votes, with a posting on Guild bulletin boards, on the Local's website, on social media, with a message sent to all members in good standing through email, and, when required by law, through U.S. Mail.

## Article III. Executive Committee

**Section 1.** Upon the ratification of the Bylaws, officers who have been overseeing the Local on an interim basis shall remain in place until an election is conducted for the Executive Committee, in accordance with the schedule spelled out in Article VI, Sections 5-6. The interim officers shall also establish a Local Election Committee to oversee the Local's first election. The Executive Committee shall be seated upon certification of the results.

**Section 2.** The Executive Committee shall consist of a President, Vice President, Secretary, Treasurer and five at-large representatives elected by the membership, except that in the event the Local is divided into Units, each Unit shall elect its own representative, with the balance of at-large representatives (if any) elected by the membership of the Local.

**Section 3.** The Executive Committee shall conduct the business of the Local and perform other duties as set forth in these Bylaws.

**Section 4.** The Executive Committee shall supervise the handling of all Local funds except for payments of strictly routine nature. Checks shall be valid only when signed by the Treasurer and one other elected officer. The Executive Committee may designate another Executive Committee member to sign checks in the Treasurer's absence.

**Section 5.** The Executive Committee shall form, and select members of, a Human Rights Committee, a Bargaining Committee, a Grievance Committee, and other committees as the Executive Committee deems appropriate from time to time. Committees formed by the Executive Committee shall be subject to re-forming, and members to replacement or reappointment, as the Executive Committee deems appropriate from time to time.

**Section 6.** The Executive Committee shall create a position of Human Rights Coordinator, in accordance with Article XI, Section 20 of the TNG-CWA Constitution, to

advise the Local on implementation of the TNG-CWA Human Rights Program and development of affirmative action programs and equal employment opportunities.

**Section 7.** The Executive Committee shall establish a Local Defense Fund and a Local Organizing Fund, in accordance with Article XI, Section 10-11 of the TNG-CWA Constitution.

**Section 8.** The Local Election Committee shall be formed in the manner set forth in these Bylaws.

## Article IV. Duties of Officers

**Section 1.** The President shall:

- Preside at general membership and Executive Committee meetings.
- Serve as an ex officio and non-voting member of all standing and special committee meetings.

**Section 2.** The Vice President shall:

- Perform the duties and responsibilities of the President caused by the President's absence, resignation or demise until the vacancy is filled in accordance with the Bylaws.

**Section 3.** The Treasurer shall:

- Serve as the custodian of all assets of the Local.
- Ensure that the Local's finances are audited annually and that fiscal records of the local are properly submitted to the TNG-CWA.
- Provide reports on the Local's finances at each Executive Committee and each Membership meeting.
- Sign tax returns or other reports required under state and federal law.

**Section 4.** The Secretary shall:

- Ensure that minutes for meetings of the Executive Committee and general Membership are prepared and posted.
- Ensure that agendas for meetings of the Executive Committee and general Membership are prepared and posted.
- Maintain all records of the Local that are not fiscal records.
- Prepare correspondence as directed by the Executive Committee.
- Oversee Membership rolls.

- Provide Membership lists for those who wish to circulate petitions in accordance with the Bylaws.
- Accept and process referenda and petitions.

## Article V. Administrative Officer

**Section 1.** There shall be an Administrative Officer of the Local under the direction of the Executive Committee.

**Section 2.** The Administrative Officer shall serve as the primary paid employee of the Local, as supervised by the Executive Committee.

**Section 3.** The Administrative Officer's term, salary and working conditions shall be established in a written contract negotiated by the Executive Committee.

**Section 4.** The Administrative Officer shall be responsible for the day-to-day operation of the Local, shall supervise employees of the Local, shall assist the officers in the performance of their duties, and shall assist in organizing drives, contract enforcement and bargaining.

**Section 5.** The Administrative Officer may be assigned to attend meetings of the Executive Committee, but shall not have a vote.

## Article VI. Elections

**Section 1.** A Local Election Committee shall be formed at the Local's October membership meeting the year before each election year and shall consist of no fewer than three members, none of whom shall be currently serving as Officers.

**Section 2.** The maximum size of the Local Election Committee shall be determined by the Membership present at the meeting. Volunteers or nominations to serve on the committee shall be taken from the floor. If the number of volunteers or nominees is greater than the number of positions established, members present shall elect candidates by show of hands. Those receiving the greatest number of votes shall be the committee. The Local Election Committee shall serve for two years, at the end of which time a new committee shall be formed.

**Section 3.** In the event that a vacancy on the Local Election Committee reduces the size of the committee to fewer than three members, the Executive Committee shall select a replacement to fill out the remainder of the unexpired term.

**Section 4.** No one who is a candidate for office may serve on the Local Election Committee.

**Section 5.** Nominations shall be received for the offices of President, Vice President, Secretary and Treasurer and each of five separate at-large positions at the Local's July membership meeting of each Election Year; except that the number of at-large positions shall be reduced by the number of representatives elected by units, as set forth in Articles III and VIII.

**Section 6.** The Secretary shall assure Proper Notice of the nomination process, of the names of persons nominated and that additional nominations may be submitted within 30 days before the October membership meeting on a signed petition of at least 10 members in good standing. Every person nominated for office shall certify in writing submitted to the Secretary within 7 calendar days following the close of nominations his or her willingness to serve if elected. If such certification is not received, the name of the person nominated shall not be placed on the ballot. In the event of the withdrawal of all candidates for a post before the election, the post shall be filled by nomination from the floor and election by secret ballot at the January membership meeting.

**Section 7.** Write-in candidates shall not be permitted.

**Section 8.** In the event of two or more candidates for any office, a majority of those voting shall be required to elect. If there is one or more contests in which no candidate receives a majority, the Local Election Committee shall provide for a runoff election no fewer than 21 days and no more than 35 days following the first round of voting.

**Section 9.** In the event of a tie for first place in the runoff election, the winner shall be elected at the January meeting.

**Section 10.** The Local Election Committee shall establish the days, times, locations and methods for voting for Officers, at-large representatives and delegates to the CWA Convention and TNG-CWA Sector Conference, including a process for mail-in voting, when necessary to comply with the requirements of federal law, the TNG Constitution, and any local election rules established by the Executive Committee or the membership, and as further set forth in these Bylaws, including as follows:

**Section 11.** Elections of Officers shall be conducted by secret ballot, except that when there is only one candidate for any office at the time of the election, that candidate shall be deemed elected without a vote.

**Section 12.** Ballot boxes shall be open for the deposit of ballots for a reasonable length of time in an adequate number of locations to provide a majority of members with a

convenient opportunity to vote. The voting period shall be not less than one day nor more than three days.

**Section 13.** All officers shall take office at the January meeting and shall serve two-year terms.

**Section 14.** In the event an office becomes vacant, a successor or successors shall be nominated upon Proper Notice to the membership from the floor of the next membership meeting and elected by secret ballot of the members present.

**Section 15.** All decisions regarding assessment of dues, fees or other costs imposed on the membership shall be made by the membership by secret ballot in the same manner as selection of officers. All other decisions made by the membership shall be made at membership meetings by a show of hands.

**Section 16.** Delegates to the TNG-CWA Sector Conference and CWA Convention shall be elected by the membership, by secret ballot in the event of a contest, in accordance with Articles VIII and XI.6 of the TNG-CWA Constitution.

## Article VII. Meetings

**Section 1.** Meetings of the Membership shall be held quarterly in January, April, July and October and special meetings as called by the membership or the Executive Committee. The date, time and place shall be set by the Executive Committee. The January meeting shall be the annual meeting. Officers shall be installed at the annual meeting following bi-annual elections.

**Section 2.** The Secretary shall ensure that the Membership receives Proper Notice in advance of every meeting, as spelled out in Article II of these bylaws. Notice of the meeting shall include a list of business to be decided by the membership, including any motion from 20% or more members in good standing to reverse or review previous decisions of the Membership or the Executive Committee.

**Section 3.** Meetings shall be governed by Robert's Rules of Order, newly revised 11th edition.

**Section 4.** A special Membership meeting shall be called by the Secretary or on written petition signed by at least 20% of the Membership in good standing. The time and place of any such special meeting shall be set by the Executive Committee. The Executive Committee may, in an emergency, call a special Membership meeting on 24 hours' notice. It shall be the right and responsibility of the committee to determine that an emergency exists.

**Section 5.** The Secretary shall send out notices of a special membership meeting within three (3) days after his or her receipt of the call for such meeting in any manner described in this section, or, in the event of a dispute as to time or place, or both, set by the Secretary, within three (3) days of the setting of the time and place by the Executive Committee.

**Section 6.** A quorum for membership meetings shall be met when the number of attending members in good standing is equal to twice the size of the Executive Committee. No action may be taken in the absence of a quorum.

## Article VIII. Units

**Section 1.** This Article shall be in effect only when the Local has or is seeking collective bargaining representation rights on behalf of more than one Unit.

**Section 2.** There shall be a Unit Council for each employer with which the Local has a collective bargaining relationship. Each Unit Council shall have a chair, a vice chair, a secretary, and two additional members, all elected by the membership of the unit.

**Section 3.** All members of the Unit Council shall be elected in conjunction with the Local General election. Each member shall serve a two-year term.

**Section 4.** Unit election disputes shall be decided by the Executive Committee.

**Section 5.** A quorum shall be a majority of the Unit Council.

**Section 6.** The Unit Council shall:

- coordinate with and advise the Executive Committee on matters affecting the Unit
- make recommendations to the Executive Committee on negotiations
- assist in investigating and processing grievances
- submit recommendations to the Executive Committee on grievance arbitration and grievance settlements
- perform other tasks as determined by the Executive Committee.

**Section 7.** Each Unit shall hold Unit membership meetings on a quarterly basis or at the call of the Unit Council. They also may be called by the Unit Council or by a petition of 20% of the unit.

**Section 8.** The Unit Chair shall preside at all meetings of the Unit Council and the Unit membership and supervise other unit officers in the exercise of their duties.

**Section 9.** The Unit Vice Chair shall perform the duties of the Unit Chair in the absence of that officer.

**Section 10.** The Unit Secretary shall ensure that a copy of the Unit Council's meeting minutes are filed promptly with the Executive Committee.

**Section 11.** Vacancies in Unit offices shall be filled by a secret ballot vote following nominations at a Unit Council meeting, provided nominations from the membership occur within six months of the original vacancy

**Section 12.** Nominations shall be received from the floor of the annual Unit membership meeting. Contested positions shall be filled by a secret ballot vote of the Unit membership.

## Article IX. Membership

**Section 1.** Applicants for membership shall submit their applications through their units to the Local's Secretary, subject to appeal as provided by the TNG-CWA Constitution.

**Section 2.** A member in good standing is one who has been accepted or reinstated into membership and who has made timely payments of the membership dues, assessments, and levies, if any, in accordance with these bylaws and the TNG-CWA Constitution.

**Section 3.** No persons actively serving the interest of employers or another labor organization as against the interests of the Guild or CWA shall be admitted for membership, as determined by the Executive Committee. The Local shall expel, suspend or readmit a member in accordance with Article XIII, sections 4 and 12, of the TNG-CWA Constitution.

**Section 4.** Reinstatement fees and conditions for members who are no longer in good standing shall be set by the Executive Committee.

**Section 5.** Regular meetings of the General Membership shall be held four times a year. The location of the meetings shall be determined by the Council.

## Article X. Dues

**Section 1.** Each applicant admitted to membership shall pay an initiation fee of \$10. Members returning to good standing shall pay a \$10 fee.

**Section 2.** Members of the Local shall pay monthly dues, which shall be no less than the minimum dues schedule set forth in the TNG-CWA Constitution. The union shall remit all required per capita payments to TNG-CWA from these dues.



**Section 3.** The Local may assess dues in addition to those required in the TNG-CWA Constitution. Increases in dues shall be subject to approval of the membership by secret ballot, following Proper Notice.

**Section 4.** Funds collected by the Local, except those collected for TNG-CWA, shall be the property of the Local.

**Section 5.** In case of emergency, as determined by the Executive Committee, the Local may temporarily increase dues once per 12-month period, with the amount not to exceed 0.5% of a week's pay for each member. The increase shall be subject to approval of the membership by a secret ballot, following Proper Notice, and shall remain in effect for no more than 12 months or the duration of the emergency, whichever is shorter. The assessment shall be given through Proper Notice.

**Section 6.** The schedule of dues shall be made available to all members.

**Section 7.** Dues shall be payable on the first day of each month except when paid by checkoff (paycheck deduction).

**Section 8.** The Executive Committee may adopt rules to enforce payment of delinquent dues and assessments. Such rules may establish a system of late fees graduated according to the amount or frequency of the delinquency, but shall not provide for late fees in excess of two and one-half times the total amount of such delinquent dues and assessments. The establishment of such late fees shall be in addition to, not instead of, the discipline of delinquent members established in the TNG-CWA Constitution.

## Article XI. Discipline

**Section 1.** Discipline under these bylaws shall be governed by the CWA and TNG Constitutions.

## Article XII. Collective bargaining

**Section 1.** The Administrative Officer shall be responsible for enforcing the collective bargaining agreements of the Local in accordance with the TNG-CWA Constitution and Collective Bargaining Program.

**Section 2.** When the Local has one Unit, a list of proposed bargaining committee members shall be compiled by the President and approved by the Executive Committee.

The committee shall consist of the President and other appointed members in good standing.

**Section 3.** When the Local has multiple Units, a list of proposed bargaining committee members shall be compiled by the Unit chair or Unit chairs in consultation with the Executive Committee. The committee shall consist of the Unit chair, any local officers who are members of the Unit, and other members of that Unit in good standing. The committee shall be chaired in each Unit by the unit chairperson unless the local President is a member of that Unit, in which case he/she shall chair the committee.

**Section 4.** The bargaining committee shall be stewards of the best interests of the Local in negotiations.

**Section 5.** Members of the Unit or Units in collective bargaining shall be kept advised on a regular basis of developments and terms discussed in negotiations. Attendance at negotiations shall be open to all members in good standing.

**Section 6.** Any tentative agreement shall be presented to the Executive Committee and to TNG-CWA's contracts committee for approval before submittal to the membership of the Unit or Units for ratification.

**Section 7.** Units may make provisions for approval of contract proposals by divisions of such Units in advance of action by the entire Unit, but any such proposals so approved shall be subject to amendment at any time by the Unit as a whole.

## Article XIII. Referenda

**Section 1.** Any local matter may be submitted to a referendum of the membership by either the membership or the Executive Committee, and shall be submitted by means of a petition signed by twenty-five percent (25%) of members in good standing.

**Section 2.** Referenda shall be conducted by secret ballot. A simple majority of the ballots cast shall determine the vote, unless otherwise stated herein.

**Section 3.** Balloting shall be conducted under supervision of the Local Election Committee.

**Section 4.** No ballot shall be issued to a member not in good standing, and all members shall be given Proper Notice of any referendum.

## Article XIV. Amendments to the bylaws

**Section 1.** A proposal to amend these Bylaws may be initiated by motion of the Executive Committee or a petition signed by not fewer than twenty-five percent (25%) of the Local's members in good standing.

**Section 2.** Proposed amendments must be reviewed by TNG in advance of a vote.

**Section 3.** The proposed amendment must then be considered at a membership meeting. Members shall receive Proper Notice of the meeting.

**Section 4.** If the amendment is approved by a majority of those attending the membership meeting, it shall then be submitted in a mail ballot referendum to the membership to be decided by a majority of those voting.

## Article XV. Public conduct of the Local

**Section 1.** As a labor union the Guild has an obligation to represent its members not just with employers but in the public arena, where labor and employment laws and other legislation have the power to affect their economic well-being. However, because a significant portion of the Local's members are involved in news gathering, great care and discretion must be exercised.

**Section 2.** The Local shall not endorse political candidates, nor participate in campaigns for public office. Positions on legislation, policy issues or state or municipal ballot measures shall be limited to the matters directly related to the Guild's institutional rights, its collective bargaining responsibilities or the working conditions of its members.

**Section 3.** Public positions shall take the form of an Executive Committee or membership meeting resolution. Members shall be given Proper Notice of proposed public positions.

**Section 4.** Nothing herein shall restrict the personal right of any member to participate in political and public issues as his or her conscience dictates.

## Article XVI. Interpretation

**Section 1.** These Bylaws shall be interpreted by the Executive Committee, subject to appeal to the membership acting at any regular or special membership meeting.

**Section 2.** Nothing in these Bylaws shall be deemed to conflict with or take precedence over provisions of the currently effective CWA and TNG-TWA Constitutions except that in purely local matters the Local reserves jurisdiction unto itself wherever the CWA or TNG-CWA constitution is silent. Questions of procedure not otherwise covered by these Bylaws or the TNG-CWA Constitution shall be covered by Robert's Rules of Order, newly revised 11th edition.